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PATENT
Attorney Docket 051530-5004
09-18-0

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Lyons et al.**)
Application No. **09/296,031**) Group Art Unit: **1633**
Filed: **April 21, 1999**) Examiner: **Shin-Lin Chen**
For: **Diagnosis & Treatment of**)
Neuroectodermal Tumors)

Commissioner for Patents
Washington, D.C. 20231

NOTICE OF APPEAL TO BOARD OF PATENT APPEALS AND INTERFERENCES

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated March 13, 2001 of the Examiner finally rejecting claims 15-31.

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136(a). Applicants petition for a three month extension of time, the fee for which is \$445.00 for a small entity as set forth in 37 C.F.R. 1.17(a)-(d). If an additional extension of time is required, please consider this a Petition therefor.

A check in the amount of \$600.00 is enclosed for payment of the fee is enclosed (\$445.00 for three-month extension of time and \$155.00 for the Notice of Appeal fee). The Commissioner is hereby authorized to charge any additional extension of time fee or additional fee for claims due to Deposit Account No. 50-0310.

Except for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

09/17/2001 CNGUYEN 00000024 09296031

01 FC:219
02 FC:217

155.00 OP
445.00 OP

Dated: **September 13, 2001**
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Respectfully submitted,
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